

NS-US065281

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Mail Stop RCE
Jin YOKOYAMA et al.	:	Patent Art Unit: 3747
Serial No. 10/574,134	:	Examiner: Mahmoud Gimie
Filed: March 30, 2006	:	Confirmation No. 5661
For: INTERNAL COMBUSTION	:	
ENGINE FAIL-SAFE CONTROL	:	
DEVICE AND METHOD	:	

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

In accordance with MPEP 609 and 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring the attached references to the Examiner's attention and request that they be considered and made of record in this application. Also attached is a completed PTO-1449 form.

Japanese Patent Publication No. H02-286837 appears to disclose an output power control device of engine, which determines if the throttle valve is sticking. If the throttle valve is sticking, then the control part controls the fuel injection or its timing. The Japanese Office Action applied this reference against the claims of the corresponding Japanese application as the main reference. The Japanese Office Action alleges that this reference states that after the throttle valve is fixed and has been evaluated, a failsafe control device for an internal combustion engine carries out the failsafe control to secure the prescribed torque based on the throttle divergence in the throttle valve's fixed state. An English abstract is provided to better understand the relevance of this reference.

Prompt examination on the merits is respectfully requested.

Respectfully submitted,

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